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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,667	01/29/2001	Masaaki Kobayashi	35.C15084	7042

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EXAMINER

SONG, HOON K

ART UNIT

PAPER NUMBER

2882

DATE MAILED: 06/05/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/770,667

Applicant(s)

KOBAYASHI, MASA AKI

Examiner

Hoon K Song

Art Unit

2882

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9 is/are allowed.
- 6) ☒ Claim(s) 1-5, 8, 10-14, 16-18, 20-22 and 24-31 is/are rejected.
- 7) ☒ Claim(s) 6, 7, 15, 19 and 23 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____. |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>5, 6</u> . | 6) <input type="checkbox"/> Other: |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 8, 10-14, 16-18, 20-22 and 24-31 are rejected under 35

U.S.C. 102(b) as being anticipated by Ohlson (US 5764724).

Regarding claim 1, Ohlson teaches a radiographic apparatus comprising:

a top plate (1) for supporting a subject;

an image receiver (2) for receiving a radiographic image of the subject;

a moving mechanism (figure 2) for varying the position of the image receiver relative to the top plate and/or posture of the image receiver;

a vertical moving mechanism (1a) for vertically moving the top plate and the image receiver; and

limiting means (1a, 1b, or floor) for limiting the action of the vertical moving mechanism according to the position relative to the top plate and/or posture of the image receiver (the telescoping leg, 1a, is limiting the vertical movement of the top plate so the top plate can not touch the floor).

Regarding claim 2, Ohlson teaches that the moving mechanism comprises a guide mechanism for allowing the image receiver to change in position in the horizontal direction relative to the top plate and/or in posture (figure 20).

Regarding claim 3, Ohlson teaches that the moving mechanism comprises a guide mechanism for guiding the movement of the image receiver in the horizontal direction, between a first position under the top plate and a second position at a side of the top plate (figure 4).

Regarding claim 4, Ohlson teaches that the action of the vertical moving mechanism is limited in case the image receiver is not in the first position (the telescopic leg, 1a, is limited in case the image receiver is in vertical position).

Regarding claim 5, Ohlson teaches that in case the image receiver is in second position, the action of the vertical moving mechanism is limited (described above) in case the image receiver is in a horizontal posture and the action of the vertical moving mechanism is not limited in case the image receiver is in a vertical posture (described above).

Regarding claim 8, Ohlson teaches that an operation member for operating the vertical moving mechanism, wherein the operation member is provided in a position difficult to operate when the image receiver is in a horizontal posture at a side of the top plate (figure 1 and 2).

Regarding claim 10, Ohlson teaches a radiographic apparatus comprising a top plate for supporting a subject;

an image receiver (2) for receiving a radiographic image of the subject;

a moving mechanism (figure 2) for varying the position of the image receiver relative to the top plate and/or posture of the image receiver;

a vertical moving mechanism (1a) for vertically moving the top plate and the image receiver; and

an operation member (1a) for operating the vertical moving mechanism;

wherein the operation member is provided in a position difficult to operate when the image receiver is in a horizontal posture at a side of the top plate (figure 2)

Regarding claim 11, Ohlson teaches that the radiographic image is X-ray image (title).

Regarding claim 12, Ohlson teaches that an X-ray generator for generating X-ray (title).

Regarding claim 13, Ohlson teaches that the image receiver comprises a radiographic film, a photostimulable phosphor sheet or a digital radiographic detector (title).

Regarding claim 14, Ohlson teaches a radiographic apparatus comprising
a top plate movable in the horizontal direction, for supporting a subject;
an image receiver for receiving a radiographic image of the subject;
a moving mechanism for varying the position of the image receiver in the horizontal direction relative to the top plate and the posture of the image receiver (figure 2); and

limiting means (1a) for limiting the movement of the top plate in a predetermined direction in case the posture of the image receiver is not horizontal (the telescopic leg has a vertically limiting position).

Regarding claim 16, Ohlson teaches that the moving mechanism guides the movement of the image receiver in the horizontal direction between a first position below the top plate and a second position at a side of the top plate and also guides switching of the image receiver, in the second position, between a horizontal posture and a vertical posture (figure 1 and 2).

Regarding claim 17, Ohlson teaches that the limiting means (1a) limits the movement of the top plate in the lateral direction.

Regarding claim 18, Ohlson teaches a radiographic apparatus comprising:
a top plate (1) movable in the horizontal direction, for supporting a subject;
an image receiver (2) for receiving a radiographic image of the subject;
a moving mechanism (figure 20) for varying the position of the image receiver in the horizontal direction relative to the top plate and the posture of the image receiver;
and

limiting means (1a) for limiting the change in the posture of the image receiver according to the position of the top plate.

Regarding claim 20, Ohlson teaches that the moving mechanism guides the movement of the image receiver in the horizontal direction between a first position below the top plate and a second position at a side of the top plate and also guides switching of the image receiver, in the second position, between a horizontal posture and a vertical posture (figure 1 and 2).

Regarding claim 21, Ohlson teaches that the limiting means (1a) limits the change of the posture of the image receiver from horizontal to vertical.

Regarding claim 22, Ohlson teaches a radiographic apparatus comprising a top plate movable in the horizontal direction, for supporting a subject;

an image receiver (2) for receiving a radiographic image of the subject;

a moving mechanism (figure 2) for varying the position of the image receiver in the horizontal direction relative to the top plate and the posture of the image receiver; and

limiting means for limiting the movement of the top plate in a predetermined direction (telescopic leg) in case the posture of the image receiver is not horizontal and the top plate is positioned within a predetermined range (telescopic leg).

Regarding claim 24, Ohlson teaches that the moving mechanism guides the movement of the image receiver in the horizontal direction between a first position below the top plate and a second position at a side of the top plate and also guides switching of the image receiver, in the second position, between a horizontal posture and a vertical posture (figure 1 and 2).

Regarding claim 25, Ohlson teaches that the limiting means (1a) limits the movement of the top plate in the lateral direction.

Regarding claim 26, Ohlson teaches a radiographic apparatus comprising a top plate movable in the horizontal direction, for supporting a subject;

an image receiver for receiving a radiographic image of the subject;

a moving mechanism for varying the position of the image receiver in the horizontal direction relative to the top plate and the posture of the image receiver; and

a shock absorbing member (7b) positioned between the top plate and the image receiver for avoiding direct collision therebetween, in case the top plate is moved in a direction where the image receiver is present while the posture of the image receiver is not horizontal or in case the posture of the image receiver is changed from a horizontal while the top plate is positioned within a predetermined range.

Regarding claim 27, Ohlson teaches a radiographic apparatus comprising a top plate movable in the horizontal direction, for supporting a subject;

an image receiver (2) for receiving a radiographic image of the subject; and

a moving mechanism (figure 2) for varying the position of the image receiver in the horizontal direction relative to the top plate and the posture of the image receiver;

wherein the moving mechanism comprises a locking mechanism (1a, telescopic leg) for preventing the image receiver from moving in the horizontal direction in case the posture of the image receiver is not horizontal.

Regarding claim 28, Ohlson teaches that a vertical moving mechanism for vertically moving the top plate and the image receiver (figure 2) .

Regarding claim 29, Ohlson teaches that the radiographic image is X-ray image (title).

Regarding claim 30, Ohlson teaches that an X-ray generator for generating X-ray (title).

Regarding claim 31, Ohlson teaches that the image receiver comprises a radiographic film, a photostimulable phosphor or a digital radiographic detector (title).

Allowable Subject Matter

Claim 9 is allowed over prior art.

Claims 6-7, 15, 19 and 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: None of the prior art teaches or suggests a detector for detecting, while the image receiver is in a horizontal posture at a side of the top plate, an obstacle present below the image receiver; wherein the descending operation of the vertical moving mechanism is limited based on the detection result of the detector.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoon K Song whose telephone number is 703-308-2736. The examiner can normally be reached on 8:30 AM - 5 PM, Monday - Friday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on 703-305-3492. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-4858 for regular communications and 703-308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

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Art Unit: 2882

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Hoon K. Song
May 30, 2002


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